

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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IN RE:	:	
	:	Chapter 7
MOISE BANAYAN,	:	Case No. 08-60954
	:	
Debtor.	:	
	:	
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WELLS FARGO EQUIPMENT FINANCE, INC.,	:	
	:	Adv. Pro. Nos. 08-80039
Plaintiff,	:	
	:	(Jointly Administered)
-against-	:	
	:	
MOISE BANAYAN,	:	
	:	
Defendant.	:	<b><u>NOTICE OF MOTION</u></b>
	:	
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**SIRS:**

**PLEASE TAKE NOTICE**, that upon the Memorandum of Law, the annexed Declaration of Joseph M. Vann, Esq., dated January 24, 2011 (the "Vann Declaration"), filed under seal, and upon all prior proceedings heretofore had herein, the undersigned will move this Court before the Hon. DIANE DAVIS, Bankruptcy Judge, at the United States Bankruptcy Court located at 10 Broad Street, Room 230, Utica, New York 13501, on the 10<sup>th</sup> day of February, 2011 at 9:30 a.m. or as soon thereafter as counsel can be heard, for an Order (i) relieving Cohen Tauber Spievack & Wagner P.C. as counsel to Defendant, (ii) granting at least a thirty (30) day period for Defendant to obtain substitute counsel, (iii) staying all matters in this action until conclusion of such period, and (iv) for all other and further relief as this Court deems fit and proper.

Dated: New York, New York  
January 24, 2011

COHEN TAUBER SPIEVACK  
& WAGNER P.C.

By:\_\_\_\_\_/s/\_\_\_\_\_  
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